IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC. APPLICATION No 9452 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgement? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KIRTIKUMAR PREMJIBHAI PARMAR

Versus

STATE OF GUJARAT

Appearance:

PARTY-IN-PERSON for Petitioners No. 1-2

Mr.Desai, Additional PUBLIC PROSECUTOR,

for the Respondent.

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 12/12/2001

ORAL JUDGEMENT

Rule. Mr.Desai, learned APP, waives service of rule on behalf of the respondent.

This is an application for interim bail filed by the mother on behalf of his two sons, who are in jail. The petitioner, who is present in Court as party-in-person, has stated that her husband is required

to be operated and for that purpose, amount is required to be arranged for the operation of the valve of the heart of her husband. Mr.Desai, learned APP, has placed on record report of the Police Inspector, along with the Report of the Doctor. The Doctor has stated that the patient (i.e. father of the accused) requires some medical treatment and as per the report, he is suffering from some heart ailment. The estimated cost of the treatment is also mentioned in the certificate.

Looking to the facts and circumstances of the case, therefore, out of the two accused, accused Kirtikumar Premjibhai Parmar, is ordered to be released on bail for a period of one week on furnishing security of Rs.5,000/-. The amount of Rs.5,000/- can be deposited, in cash, before the Jail Authorities. The order will be in operation for a period of one week from the date of his release from the jail and the accused Kirtikumar Premjibhai Parmar will have to surrender on completion of the seventh day of his release. During the aforesaid period of one week, he will report to the Shaherkotda Police Station every day at 11.00 a.m. to mark his presence and he will surrender himself to jail on completion of seven days.

The petition is accordingly allowed. Rule is made absolute to the aforesaid extent.

12th December, 2001 (P.B. Majmudar, J.)

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(apj)